

Phillip Philbin in Podcast: Excerpts From Deposition Evolution: How Litigators are Re-Thinking What's Possible

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PRACTICES Litigation

Haynes Boone Partner Phillip Philbin recently participated in a *Law.com* podcast in which speakers discussed ways technology is driving change in the legal industry.

Here are excerpts of Philbin's comments about how depositions have changed since he first started practicing law.

"I would say two ways – time and technology. Time: When I first started practicing, you could go to a deposition for weeks. Literally, I went to depositions that lasted two, three, four weeks long; today it's seven hours. That change in time demands an increase in efficiency. Who you worked for, how long and who you reported to – those questions don't get asked. Instead, you dive right into the matter.

"On the technology side, the advent of video depositions and each permutation of that has changed a lot of deposition strategy and I would say continues to change deposition strategy. As we see more and more courts adopting timed trials, a videotaped deposition allows you to control both the scope and the time allotted to a particular witness. If you're running short on time in a timed trial, it sure is nice to know that a particular witness is 22 minutes and no matter what happens on cross [examination], it's not going to end up being a 45-minute or a one-hour witness."

Philbin is a trial partner who has served the firm in a myriad of strategic and leadership positions, including two-term member of the Board of Directors, co-chair of the Intellectual Property Litigation Practice Group, and chair of the firm's Business Litigation Section. He joined the firm in 1990 after serving as law clerk to the Hon. Reynaldo G. Garza, United States Circuit Judge for the Fifth Circuit Court of Appeals—the first Mexican-American federal judge in the United States.

To read more or listen to highlights of the March 28 podcast, click [here](#).